

Message Text

UNCLASSIFIED

PAGE 01 STATE 268353
ORIGIN SCS-05

INFO OCT-01 ISO-00 /006 R

DRAFTED BY CA:SCS:SPALMER-ROYSTON:GJL

APPROVED BY CA:SCS:LPMULLIN

-----029373 092321Z /73

P 091733Z NOV 77

FM SECSTATE WASHDC

TO AMEMBASSY OSLO PRIORITY

UNCLAS STATE 268353

E.O. 11652:N/A

TAGS: CGEN

SUBJECT: TAKING OF DEPOSITIONS IN NORWAY

REF: OSLO 4972

1. CONSULAR OFFICERS OF THE UNITED STATES AND NORWAY HAVE BEEN AUTHORIZED TO TAKE DEPOSITIONS OF NATIONALS OF THEIR OWN COUNTRY SINCE THE RATIFICATION OF THE 1928 FRIENDSHIP, COMMERCE AND CONSULAR RIGHTS TREATY: FCCR ARTICLE 21, SENTENCE 1.

2. WHEN NORWAY ADHERED IN 1972 TO THE HAGUE CONVENTION ON OBTAINING EVIDENCE ABROAD THEY DID SO WITH A RESERVATION TO ARTICLE 15 (NOT ARTICLE 16). ARTICLE 15 PROVIDES THAT CONSULAR OFFICERS AND AGENTS CAN TAKE DEPOSITIONS OF THEIR OWN NATIONALS; THE NORWEGIAN RESERVATION MADE PERMISSION FROM THE CENTRAL AUTHORITY NECESSARY. (ARTICLE 16 APPLIES TO TAKING OF EVIDENCE FROM NON-NATIONALS AND REQUIRES PERMISSION FROM THE CENTRAL AUTHORITY.)

3. ARTICLE 32 OF THE CONVENTION PROVIDES THAT THE CONVEN-
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 268353

TION SHALL NOT DEROGATE FROM CONVENTIONS CONTAINING PROVISIONS ON THE MATTERS COVERED BY THIS CONVENTION TO WHICH THE CONTRACTING STATES ARE, OR SHALL BECOME PARTIES. THE

RELATIONS BETWEEN NORWAY AND U.S. ON THIS MATTER ARE THEREFORE GOVERNED BY THE FCCR TREATY OF 1928.

4. DEPARTMENT WILL CALL SANDLER AND DISCUSS THE ISSUE WITH HIM.

5. DEPARTMENT WONDERS WHAT PROMPTED COUNSELOR AASLUND TO MAKE THE STATEMENT HE DID REGARDING THE CONSULAR TAKING OF DEPOSITIONS. VANCE

UNCLASSIFIED

NNN

UNCLASSIFIED

PAGE 01 STATE 268353
ORIGIN SCS-06

INFO OCT-01 ISO-00 /007 R

66011

DRAFTED BY: CA:SCS:SPALMER

APPROVED BY: CA:SCS:LPMULLIN

-----103648 241741Z /45

P 241030Z NOV 77

FM SECSTATE WASHDC

TO AMEMBASSY THE HAGUE PRIORITY

UNCLAS STATE 268353

PASS TO BRUNO A. RISTAU, DEPARTMENT OF JUSTICE ATTENDING THE CONFERENCE ON THE SERVICE CONVENTION

FOLLOWING REPEAT STATE 268353, SENT OSLO 09 NOV:

QUOTE UNCLAS STATE 268353

E.O. 11652:N/A

TAGS: CGEN

SUBJECT: TAKING OF DEPOSITIONS IN NORWAY

REF: OSLO 4972

1. CONSULAR OFFICERS OF THE UNITED STATES AND NORWAY HAVE BEEN AUTHORIZED TO TAKE DEPOSITIONS OF NATIONALS OF THEIR OWN COUNTRY SINCE THE RATIFICATION OF THE 1928 FRIENDSHIP, COMMERCE AND CONSULAR RIGHTS TREATY: FCCR ARTICLE 21, SENTENCE 1.

2. WHEN NORWAY ADHERED IN 1972 TO THE HAGUE CONVENTION ON

OBTAINING EVIDENCE ABROAD THEY DID SO WITH A RESERVATION TO
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 268353

ARTICLE 15 (NOT ARTICLE 16). ARTICLE 15 PROVIDES THAT
CONSULAR OFFICERS AND AGENTS CAN TAKE DEPOSITIONS OF THEIR
OWN NATIONALS; THE NORWEGIAN RESERVATION MADE PERMISSION
FROM THE CENTRAL AUTHORITY NECESSARY. (ARTICLE 16 APPLIES
TO TAKING OF EVIDENCE FROM NON-NATIONALS AND REQUIRES
PERMISSION FROM THE CENTRAL AUTHORITY.)

3. ARTICLE 32 OF THE CONVENTION PROVIDES THAT THE CONVEN-
TION SHALL NOT DEROGATE FROM CONVENTIONS CONTAINING PRO-
VISIONS ON THE MATTERS COVERED BY THIS CONVENTION TO WHICH
THE CONTRACTING STATES ARE, OR SHALL BECOME PARTIES. THE

RELATIONS BETWEEN NORWAY AND U.S. ON THIS MATTER ARE
THEREFORE GOVERNED BY THE FCCR TREATY OF 1928.

4. DEPARTMENT WILL CALL SANDLER AND DISCUSS THE ISSUE
WITH HIM.

5. DEPARTMENT WONDERS WHAT PROMPTED COUNSELOR AASLUND TO
MAKE THE STATEMENT HE DID REGARDING THE CONSULAR
TAKING OF DEPOSITIONS. VANCE UNQUOTE. VANCE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 09-Nov-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE268353
Document Source: CORE
Document Unique ID: 00
Drafter: ROYSTON:GJL
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770414-0663
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771178/aaaacoix.tel
Line Count: 144
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f4392f1e-c288-dd11-92da-001cc4696bcc
Office: ORIGIN SCS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 OSLO 4972
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 25-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 652047
Secure: OPEN
Status: NATIVE
Subject: TAKING OF DEPOSITIONS IN NORWAY
TAGS: CGEN
To: OSLO
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/f4392f1e-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009